

### REMARKS

1. An Office Action requiring Applicants to elect a single invention for prosecution on the merits was mailed December 10, 2008. Claims 1-38 were last presented for examination. By the foregoing Amendments, no claims have been amended, added or cancelled. Upon entry of this paper, claims 1-38 will remain pending in this application. Of these thirty-eight (38) claims, seven (7) claims (claims 1, 7, 12, 26, 28, 29, and 34) are independent.

2. In response to the Election/Restriction Requirement, Applicants submit this Response to Election/Restriction Requirement.

#### *Election/Restriction*

3. The Examiner has required the election of a single invention for prosecution on the merits. The Examiner alleged that the originally filed claims are directed to the following four (4) patentably distinct inventions:

- I.* Claims 1-6, drawn to method for managing and testing battery while checking for removal of the battery, classified in class 429, subclass 122.
- II.* Claims 7-11 and 34-38, drawn to structure of battery charger which tests and isolates the battery from the source, classified in class 320, subclass 107.
- III.* Claims 12-25 and 29-33, drawn to battery cyclic charging/discharging with current/voltage measuring, classified in class 320, subclass 130.
- IV.* Claims 26-28, drawn to device for characterizing battery and delivering decreasing step-function flow to battery, classified in class 702, subclass 63.

#### *Election*

4. In accordance with 37 CFR § 1.143 and MPEP 818.03(b), Applicants hereby elect, without traverse, the claims of Group III, namely, claims 12-25 and 29-33.

5. Applicants do not intend to dedicate non-elected claims to the public and reserve the right to file divisional applications for the subject matter covered by the non-elected claims.

6. The inventorship for the invention of the elected claims is the same as the inventorship of record in this application.

*Conclusion*

7. In view of the foregoing, it is respectfully submitted that this application is in condition for allowance and favorable action is respectfully solicited.

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Respectfully submitted,

Electronic signature: /Michael G. Verga/  
Michael G. Verga

Registration No.: 39,410  
CONNOLLY BOVE LODGE & HUTZ LLP  
1875 Eye Street, NW  
Suite 1100  
Washington, DC 20006  
(202) 331-7111  
(202) 293-6229 (Fax)  
Attorney for Applicant